

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civ. No. 20-727 GJF/GBW

CANYON DEL BUEY, LLC, *et al.*,

Defendants.

ORDER APPROVING SETTLEMENT AND DISMISSING CASE

THIS MATTER came before the Court on the parties' request for the Court to approve their mutual Settlement Agreement [ECF 88-1] and to enter a final judgment dismissing this action. The Settlement Agreement and the Court's entry of final judgment reserve Defendants' right to pursue an appeal of the Court's "Memorandum Opinion and Order" [ECF 57] and the Court's "Amended Interim Order Ejecting Defendants from Canyon Del Buey Allotment and Enjoining Them from Unauthorized Use of Canyon Del Buey Allotment" [ECF 74]. The Court finds that the parties' requests are well taken, and hereby **ORDERS** that the Settlement Agreement is approved as follows:


- (1) The Court hereby approves and adopts the Parties' August 31, 2022 "Settlement Agreement on Damages between Plaintiff the United States and Defendants Canyon Del Buey, LLC, Craig Thiessen, and Lance Thiessen" [ECF 88-1]. The Court will retain jurisdiction to enforce the Settlement Agreement until Defendants have paid the agreed upon settlement amount (Paragraph 1), in full.
- (2) Judgment is entered in favor of Plaintiff, as set forth in the Court's "Memorandum Opinion and Order" [ECF 57].
- (3) The Court's "Amended Interim Order Ejecting Defendants from Canyon Del Buey Allotment and Enjoining Them from Unauthorized Use of Canyon Del Buey Allotment" [ECF 74] is hereby made final and permanent. Defendants are enjoined and restrained from placing any livestock that they own, possess, or control, or allowing such livestock

to enter or to be placed by others, or from otherwise trespassing, on the Canyon del Buey Allotment. Livestock bearing brands registered to Defendants are presumptively within Defendants' ownership, possession, or control.

- (4) The Defendants preserve their right to appeal the Final Judgment, including of the Court's "Memorandum Opinion and Order" [ECF 57] and the Court's "Amended Interim Order Ejecting Defendants from Canyon Del Buey Allotment and Enjoining Them from Unauthorized Use of Canyon Del Buey Allotment" [ECF 74].

IT IS FURTHER ORDERED that the above captioned cause is **DISMISSED**
WITH PREJUDICE.

SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE
Presiding by Consent